IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

AS.No. 695 of 1992()

OS.165/1982 of PRINCIPAL SUB COURT,KOLLAM

APPELLANT PLAINTIFF :

MYTHEEN PILLAI MUHAMMED KASSIM,
KULANGARAZHIKATHU VEEDU,
THEKKUMBHAGOM CHERRY,
PARAVOOR VILLAGE.

BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
SRI.P.GOPAL

RESPONDENTS DEFENDANTS 1 TO 6 & 8 & 9 :

1. **BEEVI UMMAL SARA UMMAL, THACHARAZHIKATHU VEEDU, THEKKUMBHAGOM CHERRY, PARAVOOR VILLAGE (DELETED)**
2. **MEETHEEN PILLAI MUHAMMED MOOSA, ATTUMPURATHU VEEDU, DO. DO.**
3. **MEETHEEN PILLAI MUAHMMED KANTHIN, PUNNA VILAYIL KIZHAKKATHIL VEEDU, KALAKKODU CHERRY, PARAVOOR VILLAGE.**
4. **SAINABA BEEVI ASEEMA BEEVI, T.V.HOUSE, ALAMCODE, ATTINGAL.**
5. **SAINABA BEEVI PATHUMMA BEEVI, A.M.E. HOUSE, NARIKALLUMUKKU, VADASSERIKONAM, VARKALA.**
6. **SUHURA BEEVI NABEESA NAYARAZHIKATHU VEEDU, THEKKUMBHAGATHU CHERRY PARAVOOR VILLAGE.**

7. SARA UMMAL NAHUMA BEEVI, DILSHAD MANZIL, NILAMEL, KOLLAM.

8. ILLYAS SALIM, THACHARAZHIKATHU VEEDU THEKKUMBHAGOM, PARAVOOR.

NAME OF THE IST RESPONDENT IS DELETED FROM THE PARTY ARRAY AND THE SERIAL NUMBERS OF THE RESPONDENTS ARE CORRECTED AS 1 TO 7 AS PER ORDER DATED 15.2.1993 ON CMP 598 OF 1993.

BY ADV. SRI.V.SUGATHAN-R7

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. PADMANABHAN NAIR, J.

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A.S. NO. 695 OF 1992

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Dated this the 31st day of May, 2007

J U D G M E N T

The sole appellant died long back even prior to 4.6.2004. Till date no steps taken to implead the legal representatives of the deceased appellant. Learned counsel for the appellant requested for further time to take steps to implead the legal representatives of the deceased appellant. I do not find any reason to grant further time. The appeal abated due to the non-impleadment of the legal representatives of the deceased appellant.

In the result, the appeal is closed as abated. The records of this appeal will be consigned in the record room. The LCR called for shall be returned to the court below concerned.

K. PADMANABHAN NAIR, JUDGE.

vsv

K. PADMANABHAN NAIR, J.

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A.S. NO. 695 OF 1992

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J U D G M E N T

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31ST MAY, 2007